IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.567 OF 2007

Praveen Alamgir Sheikh ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.Imtiyaz A.I.Patel counsel for Applicant
Mrs.A.S.Pai A.P.P. for the State

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**CORAM: SMT.V.K.TAHILRAMANI,J.**
**DATE : MARCH 20, 2007**

**P.C.**

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.I-305 of 2006 of Mira Road Police Station. The said case is under Section 302 of IPC.

3. The learned counsel for the applicant has submitted that the applicant is a lady and hence, she may be granted bail. On the morning of 26.8.2006 the husband of the applicant was found dead. The applicant informed everyone that he died due to diabetes. Therefore, he came to be

cremated. Subsequently on anonymous letter being received by the police, the dead body was exhumed and post mortem was carried out. The post mortem revealed that it was not a case of natural death but Mohammad Alamgir husband of the applicant was strangulated and his death was caused due to cardio-respiratory arrest due to neck contraction and blunt trauma to the skull vault.

4. It is pertinent to note that the death occurred in the house of the applicant. The applicant was very much present in his house when the death of her husband took place. It is not her case that some other person came into house and committed murder of her husband but it is her case that her husband died due to natural cause, which is clearly belied by the post mortem notes. In this view of the matter, involvement of the applicant is clearly made out in the crime. Hence, I do not think that this is a fit case to grant bail. Application is rejected.

5. Application is disposed of.

[ V.K.Tahilramani, J.]